

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

AUGUSTINE PINA, JR.,
TDCJ No. 2152316,

Petitioner,

V.

DIRECTOR, TDCJ-CID,

Respondent.

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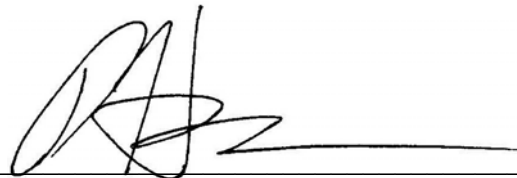
No. 3:21-cv-2114-B-BN

**ORDER WITHDRAWING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION AND TERMINATING MOTION AS MOOT**

Petitioner Augustine Pina, Jr., a Texas prisoner, filed a *pro se* application for habeas relief under 28 U.S.C. § 2254. *See* Dkt. No. 3. United States District Judge Jane J. Boyle referred Pina's habeas petition to the undersigned United States magistrate judge for pretrial management under 28 U.S.C. § 636(b) and a standing order of reference. The undersigned recommended that the habeas action be dismissed without prejudice under Federal Rules of Civil Procedure 41(b) unless Pina paid the filing fee within a reasonable time [Dkt. No. 8] (the FCR). Because Pina subsequently paid the filing fee, the Court WITHDRAWS the FCR, TERMINATES AS MOOT his motion for leave to proceed *in forma pauperis* [Dkt. No. 7], and will enter a separate order regarding service of Pina's habeas petition.

SO ORDERED.

DATED: October 6, 2021



DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE